

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FARHAN RASOOL, *et al.*,
Plaintiffs,

v.

COUNTY OF ALAMEDA, *et al.*,
Defendants.

Case No. 4:21-cv-06510-YGR

**ORDER TO SHOW CAUSE RE: SANCTIONS
FOR UNAUTHORIZED PRACTICE OF LAW IN
THE NORTHERN DISTRICT OF CALIFORNIA
AND FOR FAILURE TO RESPOND TO
COMPLIANCE DEADLINE; VACATING
COMPLIANCE DEADLINE**

Re: Dkt. No. 27

**TO THE PLAINTIFFS FARHAN RASOOL AND MEHWISH KHALID AND THEIR COUNSEL OF
RECORD:**

This Court's Civil Local Rules require that "an attorney must be a member of the bar of this Court to practice in this Court and in the Bankruptcy Court of this District" subject to limited exceptions. Civ. L.R. 11-1(a). The Civil Local Rules further provide that "A person who exercises, or pretends to be entitled to exercise, any of the privileges of membership in the bar of this Court, when that person is not entitled to exercise such privileges, may be referred to the Standing Committee in addition to any action authorized by applicable law." Civ. L.R. 11-8; *see also* Civ. L.R. 11-6(c)-(e).

Counsel for plaintiffs, Ms. Adina Aspen Ostoia from KJ Injury & Accident Lawyers, PC, has been intermittently filing documents on behalf of plaintiffs in these proceedings. Based on the record in this case and this District's Attorney Bar Admission Status Lookup tool, it appears that Ms. Ostoia is practicing before this Court without authorization. In its November 19, 2021 Order dismissing Union City from this case, the Court set a compliance deadline of December 3, 2021. (Dkt. No. 27 at 3-4.) The Order noted that Ms. Ostoia appeared to be practicing without authorization and directed plaintiffs to file a notice of appearance indicating that counsel is a member of the bar of this Court no later than five business days prior to the compliance deadline.

(*Id.*) The Court **warned** that failure to timely identify counsel may result in sanctions, including dismissal of this case for failure to prosecute. (*Id.*) Plaintiffs filed a status report on November 26, 2021, however, the report does not comply with the compliance deadline requirements concerning the notice of appearance. (Dkt. No. 28.) Based upon this Court's review of the status report, plaintiffs are disregarding various rules and orders from the Court. Indeed, the status report contemplates that plaintiffs are in the process of drafting a request to dismiss Union City from this action even though the Court already ordered Union City dismissed.

Therefore, plaintiffs' counsel, Ms. Ostoia, is **HEREBY ORDERED TO SHOW CAUSE**:

1. Why she should not be sanctioned in the amount of \$200 for failure to comply with this Court's Order Setting Compliance Deadline, issued on November 19, 2021;
2. Why the case should not be dismissed for failure to prosecute consistent with the warning provided by this Court in the Order Setting Compliance Deadline, or alternatively, whether the case should proceed on a pro se basis; and
3. Why Ms. Ostoia should not be referred to the Standing Committee pursuant to Civil Local Rule 11-8 for her unauthorized practice of law in this District and repeated disregard of Court orders.

A hearing on this Order to Show Cause will be held on **Friday, December 10, 2021**, on the Court's 9:01 a.m. Calendar via the Court's Zoom platform. By no later than **Friday, December 3, 2021**, Ms. Ostoia must file a single response to this Order to Show Cause.

If the Court is satisfied with Ms. Ostoia's response, the hearing may be taken off calendar and the parties need not appear. Failure to file a written response or to appear at the hearing will be deemed an admission that no good cause exists, and that the imposition of sanctions is appropriate. The compliance deadline currently set for Friday, December 3, 2021, is **VACATED**.

IT IS SO ORDERED.

Dated: November 29, 2021


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE